1 JAMES V. FITZGERALD, III (State Bar No. 55632) NOAH G. BLECHMAN (State Bar No. 197167) 2 McNamara, Dodge, Ney, Beatty, Slattery, PFALZER, BORGES & BROTHERS LLP 1211 Newell Avenue 3 Post Office Box 5288 4 Walnut Creek, CA 94596 Telephone: (925) 939-5330 5 Facsimile: (925) 939-0203 6 Attorneys for Defendant CITY OF MARTINEZ, GLENN WALKUP, J. ROGERS, AND 7 B. CARTER 8 UNITED STATES DISTRICT COURT 9 NORTHERN DISTRICT OF CALIFORNIA 10 11 BRIAN NELSON WILLIAMS, Case No. C08-0449 EMC 12 Plaintiff, **DECLINATION TO PROCEED BEFORE** TELEPHONE: (925) 939-5330 ATTORNEYS AT LAW BOX 5288, WALNUT CREEK, 13 VS. A MAGISTRATE JUDGE 14 CITY OF MARTINEZ, GLENN AND WALKUP, J. ROGERS, B. CARTER, 15 AND DOES 1 through 20, REQUEST FOR REASSIGNMENT TO A 16 Defendants. UNITED STATES DISTRICT JUDGE 17 P.O. 18 19 REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE 20 Defendants CITY OF MARTINEZ, GLENN WALKUP, J. ROGERS, and B. 21 CARTER, hereby decline to consent to the assignment of this case to a United States Magistrate 22 Judge for trial and disposition and hereby requests the reassignment of this case to a United States 23 District Judge. 24 /// 25 /// 26 /// 27 /// 28 **DECLINATION TO PROCEED BEFORE** A MAGISTRATE JUDGE

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By:

Dated: March 25, 2008

James V. Fitzgerald, III

Noah G. Blechman Attorneys for Defendant

CITY OF MARTINEZ, GLENN WALKUP, J.

ROGERS, AND B. CARTER